IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD
(SPECIAL ORIGINAL JURISDICTION)

TUESDAY THE ELEVENTH DAY OF NOVEMBER
TWO THOUSAND AND THREE
: PRESENT :
THE HON'BLE DR.JUSTICE **MOTILAL B.NAIK**
AND
THE HON'BLE MR.JUSTICE **DALAVA SUBRAHMANYAM**
W.P. No. 23724 of 2003

Between:
Smt.N.Suryakantham

Petitioner

AND

The Regional Transport Officer, Government of A.P. Bhimavaram, W.G.District

Respondent

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein, the High Court will be pleased to issue an appropriate writ, order or direction particularly one in the nature of writ of mandamus, declaring the action of the respondent in issuing the impugned notice under Section 86 of the Motor Vehicles Act, 1988, directing the petitioner to pay the compounding fee of Rs. 62,000/- for the alleged violation of carrying an overload of respective weights on various dates in the month of July 2003 in the petitioner's Lorry bearing Registration No.AP 37-V-8778without following the procedure contemplated under the Act and the Rules made thereunder is arbitrary illegal and violative of articles 14,19 and 21 of the Constitution of India and accordingly set aside the impugned order of the respondent vide R.No. 7946/03/2003 dated -10-2003.

The petition coming on for orders as to admission, upon perusing the petition and the affidavit filed therein and upon hearing the arguments of MR.K. Muralidhar Reddy, Advocate for the petitioner and G.P. for Tr and Tax on behalf of the respondent

The Court made the following

ORDER:

" Post for Admission on Monday (17-11-2003)
Pending admission, there shall be interim direction to the respondents to receive quarterly tax for the period of three months i.e. from October to December of 2003 without insisting payment of compounding fees."

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To
1. The Regional Transport Officer, Government of A.P. Bhimavaram, W.G.District
(BY RPAD)

2. Two CC to the G.P. for Tr.& Tax , High Court of A.P. Hyderabad(OUT)
3. One Spare Copy

YVN